

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION

In Re:

**Justin Douglas Cox**

Case No. 10-80914- -

Chapter 7

Social Security No.:

XXX-XX-6550

Address:

104 Isleworth Pl., Aberdeen, NC 28315-2237

Debtor

**DEBTOR'S AMENDED MOTION TO MODIFY SCHEDULING ORDER**

The Debtor, by and through undersigned counsel, hereby moves this Honorable Court to modify the Scheduling Order issued August 30, 2010, and in support of said request, would show as follows:

1. On August 19, 2010, this court held a pre-trial scheduling conference concerning the Bankruptcy Administrator's Motion to Dismiss.
2. On August 30, 2010, this Court issued a Scheduling Order. Per the terms of the Scheduling Order, discovery closed on December 14, 2010.
3. The parties have conferred and agree that the existing discovery period was not sufficient to complete the necessary discovery in this case, the Debtor would request that all deadlines referenced in the Original Scheduling Order be extended by 30 days.
4. The Debtor has conferred with the attorney for the Bankruptcy Administrator, and the parties have agreed to the following modified deadlines:

	Current Dates	Proposed Dates
Discovery Closed	December 14, 2010	January 13, 2011
Deadline for Filing Dispositive Motions	January 7, 2011	February 7, 2011
Final pre-trial conference if no dispositive motions filed	January 7, 2011	Court's next regular session in Durham after February 7, 2011

WHEREFORE, the Debtor respectfully requests that this Honorable Court grant the Debtor's Motion to Modify Scheduling Order and such other relief as the court deems proper.

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s/ Koury L. Hicks

Koury L. Hicks

NC Bar # 36204

Attorney for Debtors

6616 Six Forks Road, Ste. 203

Raleigh, N.C. 27615

(919) 847-9750

### **CERTIFICATE OF SERVICE**

I, Koury L. Hicks, of the Law Offices of John T. Orcutt, P.C., certify, under penalty of perjury, that I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age, and that on December 27, 2010, I served copies of the attached Motion by automatic electronic noticing upon the Bankruptcy Administrator and Chapter 7 Trustee assigned to this case.

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/s/Koury L. Hicks

Koury L. Hicks